

## Message Text

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PAGE 01 COPENH 00148 180750Z

12

ACTION IO-10

INFO OCT-01 EUR-12 EA-06 ISO-00 AF-06 L-02 ACDA-05 ARA-06

NEA-09 RSC-01 CIAE-00 DODE-00 PM-03 H-01 INR-07

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 DPW-01

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R 171536Z JAN 75

FM AMEMBASSY COPENHAGEN

TO SECSTATE WASHDC 284

INFO AMEMBASSY BERN

USMISSION GENEVA

USDEL JEC PARIS

AMEMBASSY SAIGON

USMISSION USUN NEW YORK

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E.O. 11652: GDS

TAGS: PARM, PFOR, ICRC, VN, VS, DA

SUBJECT: PRG ISSUE AT SECOND SESSION OF CONFERENCE ON LAW OF WAR

REF: STATE 008673

SUMMARY: WHILE DANISH GOVERNMENT WILL AGAIN CONSIDER ISSUE OF POSSIBLE PRG REPRESENTATION AT LAW OF WAR CONFERENCE, THERE SEEMS LITTLE HOPE OF CHANGE FROM POSITION OF ABSTENTION TAKEN IN LAST YEAR'S VOTES. DANES HAVE HEARD THAT NORTHVIET-NAM MAY PROPOSE INCLUSION OF PRG IN ITS DELEGATION UNDER THREAT OF ITS NON-PARTICIPATION. END SUMMARY.

1. IN ACCORDANCE WITH INSTRUCTIONS CHARGE SAW PER FERGO, MFA DEPUTY UNDER SECRETARY FOR LEGAL AFFAIRS, ON JANUARY 17 AND STRESSED U.S. HOPE FOR DANISH SUPPORT IN TRYING TO BLOCK A RENEWED RASISING OF THE PRG ISSUE AT THE SECOND SESSION OF THE CONFERENCE ON THE LAW OF WAR. FROM PAST DISCUSSIONS EMBASSY HAD HAD WITH HIM AS WELL AS FROM HIS OWN PARTICIPATION IN LAST CONFIDENTIAL

CONFIDENTIAL

PAGE 02 COPENH 00148 180750Z

YEAR'S CONFERENCES, FERGO WAS WELL AWARE OF THE PROBLEM AND OF

THE US POSITION. HE SAID THAT HE HAD BEEN APPROACHED BY THE SOVIET CHARGE (TCHAMORTSEV) ABOUT A WEEK AGO WHO POINTED OUT THAT THE PRG QUESTION WAS LIKELY TO BE RAISED AT THE CONFERENCE AND ASKED FOR DENMARK'S SUPPORT. FERGO SAID THAT HE HAD RESPONDED THAT HE WOULD SUBMIT THE QUESTION "TO THE GOVERNMENT" BEFORE THE START OF THE CONFERENCE BUT THAT HIS PERSONAL FEELING WAS THAT THE DANISH POSITION WOULD NOT CHANGE, I.E., THEY WOULD ABSTAIN.

2. FERGO ADDED THAT HE COULD ONLY TELL US THE SAME, ALTHOUGH THE US ARGUMENTATION WOULD BE TAKEN INTO CONSIDERATION. HE RECALLED THE DIFFICULTY AND DELAY CAUSED BY THE PRG ISSUE (ALONG WITH THE "FREEDOM FIGHTER" ISSUE) AT THE ICRC CONFERENCE AND SAID THAT AS A RESULT HE UNDERSTOOD THAT THE SWISS GOVERNMENT, AT LEAST, CONSIDERED THE MATTER CLOSED. FOREIGN MINISTER GRABER, HE THOUGHT, WOULD BE VERY RELUCTANT TO HAVE THIS ISSUE RASISED, ALTHOUGH IT WAS, OF CURSE, IN THE POWER OF ANY OF THE PARTICIPANTS TO DO SO.

3. FERGO WENT ON TO SAY THAT HE HAD HEARD A "RUMOR" THAT NORTH VIET-NAM MAY PROPOSE THAT THE PRG JOIN ITS DELEGATION, WITH THE THREAT THAT IF THIS WERE NOT APPROVED NVN WOULD NOT PARTICIPATE IN THE CONFERENCE. CHARGE SAID THAT HE HAD NOT HEARD OF THIS PLOY BUT IT SEEMED TO HAVE CERTAIN INTRIGUING ASPECTS. FERGO NOTED THAT THE PRC HAS SHOWN UNHAPPINESS WITH THE ENTIRE ISSUE BECAUSE THE CHINESE DO NOT LIKE THE PRECEDENT OF TWO GOVERNMENTS BEING ALLOWED TO PARTICIPATE IN A CONFERENCE, BOTH CLAIMING TO REPRESENT THE SAME COUNTRY. IT WAS IN FACT, HE SAID, UNCERTAIN WHETHER THE PRC WOULD ATTEND THE FORTHCOMING CONFERENCE.

4. IN CONCLUSION, FERGO SAID THAT HE PERSONALLY WOULD NOT BE GOING TO THIS SESSION OF THE CONFERENCE BECAUSE HE HAD DECIDED THAT HE HAD TO REMAIN IN COPENHAGEN TO COMPLETE THE PREPARATIONS FOR HIS PARTICIPATION AS DANISH DELEGATE IN THE NEXT SESSION OF THE CONFERENCE OF THE LAW OF THE SEA. DENMARK WOULD THEREFORE BE REPRESENTED AT THE LAW OF WAR CONFERENCE BY AMBASSADOR AXEL SERUP, A 63 YEAR OLD DIPLOMAT WHO HAS HAD BROAD EXPERIENCE BUT WHO IS, ACCORDING TO FERGO, SOMEWHAT OVERWHELMED BY THE WEIGHT OF THE DOSSIERS NOW CONFRONTING HIM.

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PAGE 03 COPENH 00148 180750Z

5. COMMENT: IT WAS CLEAR FROM FERGO'S ATTITUDE THAT HE WILL CONTINUE TO FAVOR ABSTENTION ON THE PRG ISSUE. SUSPECTING THIS, THE CHARGE AND POLITICAL COUNSELOR HAVE, IN SEPARATE DISCUSSIONS, RAISED THE ISSUE WITH SENIOR OFFICIALS ON THE POLITICAL SIDE OF THE MINISTRY WHO MAY PROVE MORE AMENABLE TO OUR ARGUMENTATION. THE REPORT IN THE DANISH PRESS TODAY THAT THE SWedes HAVE FORMALLY BROKEN RELATIONS WITH THE RVN WILL, UNFORTUNATELY,

ENCOURAGE THOSE ELEMENTS IN DENMARK WHO WOULD LIKE THIS  
COUNTRY TO DO THE SAME. ALTHOUGH WE THINK THIS WILL HAVE LITTLE  
IMMEDIATE AFFECT ON THE POSITION OF THE HARTLING GOVERNMENT  
IT WILL, NEVERTHELESS, PROBABLY FORECLOSE ANY REAL POSSI-  
BILITY OF A STIFFENING OF THE OFFICIAL ATTITUDE TOWARD THE PRG.  
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